# **EXHIBIT D**

[FPL Notice of Early Termination]



Florida Power & Light Company, 700 Universe Boulevard, Juno Beach, FL 33408

Energy Marketing & Trading

September 15, 2008

# VIA COURIER OR PERSONAL DELIVERY AND BY FACSIMILE (212-526-7672)

Lehman Brothers Commodity Services, Inc. c\o Lehman Brothers Inc.
Transaction Management Group
Corporate Advisory Division
745 Seventh Avenue
New York, New York 10019
Attn: Documentation Manager

# NOTICE OF EVENT OF DEFAULT and DESIGNATION OF AN EARLY TERMINATION DATE

Re: ISDA Master Agreement dated August 14, 2006 (the "Agreement") by and between Florida Power & Light Company (Party B) and Lehman Brothers Commodity Services Inc. (Party A)

#### Ladies and Gentlemen:

An Event of Default has occurred with respect to Party A under Section 5(a)(vii) of the Agreement due to the Bankruptcy of Party A's Credit Support Provider. Pursuant to Section 6(a) of the Agreement Party B hereby designates September 17, 2008 as the Early Termination Date for all outstanding Transactions under the Agreement.

Party B as the Performing Party pursuant to such terminated Transactions under the Agreement, will determine, and by subsequent notice advise Party A of any amounts due in respect of such early termination pursuant to the terms of the Agreement.

This notice is without prejudice to any of Party B's rights or remedies with respect to the matter described herein or any default, termination, or liquidation events under the terms of the Transactions, or as otherwise available under applicable law or in equity, including but not limited to, its rights to demand and obtain payment of default interest, late charges, attorneys fees and other costs incurred as a result of any of the foregoing defaults, and Party B's right to proceed against any and/or all guarantors, under and pursuant to any applicable guaranties.

All capitalized terms used in this demand letter and not defined herein will have the meanings ascribed thereto in the Agreement. If you have any questions regarding this notice please contact Brent Hendry, Managing Attorney at (561) 304-5276.

Sincerely,

Sam A. Forrest

Vice President, Energy Marketing & Trading

cc:

Joe Barker,

Director of Credit



Florida Power & Light Company, 700 Universe Boulevard, Juno Beach, FL 33408

September 15, 2008

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Sincerely,

Vice President, Energy Marketing & Trading

Joe Barker, Director of Credit

Recieved by:
Kirsy Arater
Admin. Asst.
9/15/08 5:30pm

an FPL Group company

# 08-13555-mg Doc 1729-4 Filed 11/25/08 Entered 11/25/08 16:39:47 Exhibit D



Energy Marketing & Trading Florida Power & Light Company, 700 Universe Boulevard, Juno Beach, FL 33408

September 15, 2008

# VIA COURIER OR PERSONAL DELIVERY AND BY FACSIMILE (212-526-7672)

Lehman Brothers Commodity Services, Inc. c\o Lehman Brothers Inc.
Transaction Management Group
Corporate Advisory Division
745 Seventh Avenue
New York, New York 10019
Attn: Documentation Manager

Re: NOTICE OF DEMAND OF RETURN OF LETTER OF CREDIT pursuant to the terms of the ISDA Master Agreement dated as of August 14, 2006 (the "Agreement") by and between Lehman Brothers Commodity Services Inc. ("Party A") and Florida Power & Light Company ("Party B")

## Ladies and Gentlemen:

Pursuant to Paragraph 8(b) and 13(j)(iv)(B) of the Credit Support Annex to the above-referenced Agreement Party B hereby demands that Party A immediately Transfer and return to Party B the Letter of Credit No. 10050004/80085 issued by Scotiabank dated July 25, 2007 as amended on August 15, 2007 due to the Early Termination Date having been designated as the result of an Event of Default by Party A pursuant to the Notice of Default dated September 15, 2008.

All capitalized terms used in this demand letter and not defined herein will have the meanings ascribed thereto in the Agreement. If you have any questions regarding this notice please contact Brent Hendry, Managing Attorney at (561) 304-5276.

Sincerely,

Sam A. Forest

Vice President, Energy Marketing & Trading

cc: Joe Barker,

Director of Credit



Energy Marketing & Trading Florida Power & Light Company, 700 Universe Boulevard, Juno Beach, Fl. 33408

September 15, 2008

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745 Seventh Avenue
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Da.

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Sincerely,

Sam A. Forest

Vice President, Energy Marketing & Trading

a. Forest /mo

cc: Joe Barker, Director of Credit

Recleved by. Kircy Arosto Admin. Asst.

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an FPL Group company